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****E-filed 7/27/05****

Attorneys for Defendants,
 THE PRUDENTIAL INSURANCE COMPANY
 OF AMERICA and ADAPTEC INC. GROUP
 LIFE AND HEALTH INSURANCE PLAN

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL THOMPSON)	Case No.: C 04-5349 JF
)	
Plaintiff,)	STIPULATED DISMISSAL AND
)	ORDER
v.)	
)	
THE PRUDENTIAL INSURANCE)	
COMPANY OF AMERICA, and ADAPTEC)	
INC. GROUP LIFE AND HEALTH)	
INSURANCE PLAN)	
)	
Defendants.)	

It is hereby stipulated by and between the parties to this action, Plaintiff MICHAEL THOMPSON ("Plaintiff") and Defendants THE PRUDENTIAL INSURANCE COMPANY OF AMERICA and ADAPTEC INC. GROUP LIFE AND HEALTH INSURANCE PLAN ("Defendants") by and through their respective counsel of record, that the above-captioned action be, and hereby is, dismissed with prejudice pursuant to the Federal Rules of Civil Procedure, Rule

1 41.

2 Each party shall bear its own costs and attorneys' fees in this action.

3 Pursuant to local rules, this document is being electronically filed through the Court's ECF
4 System. In this regard, counsel for Plaintiff and Defendants hereby attest that (1) the content of this
5 document is acceptable to all persons required to sign the document; (2) counsel for Plaintiff and
6 Defendants have signed this document; and (3) the signed document is available for inspection
7 upon request.

8
9 **SO STIPULATED AND AGREED:**

10 Dated: July 22, 2005

11 FLYNN, ROSE & PERKINS

12 By: /s/ Charles B. Perkins
13 CHARLES B. PERKINS, ESQ.
14 Attorney for Plaintiff

15 Dated: July 22, 2005

16 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

17 By: /s/ Rebecca Labat Crosby
18 ADRIENNE C. PUBLICOVER
19 REBECCA LABAT CROSBY
20 Attorneys for Defendants
21 THE PRUDENTIAL INSURANCE COMPANY OF AMERICA,
22 INC. AND ADAPTEC INC. GROUP LIFE AND HEALTH
23 INSURANCE PLAN
24
25
26
27
28

ORDER

IT IS SO ORDERED:

DATED: 7/27, 2005

/s/electronic signature authorized

Hon. Jeremy Fogel
United States District Court Judge